

CONGRESSIONAL RECORD SUMMARY

Tuesday, May 8, 2001

SENATE

Measures Introduced:

S. 840. A bill to *amend title I of the Omnibus Crime Control and Safe Streets Act of 1968* to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law enforcement discipline, accountability, and due process laws; to the Committee on the Judiciary.

Biden

Pages S 4508, S 4509-10

S. 842. *A bill to ensure that the incarceration of inmates is not provided by private contractors or vendors and that persons charged or convicted of an offense against the United States shall be housed in facilities managed and maintained by Federal, State, or local governments; to the Committee on the Judiciary.*

Feingold

Pages S 4508, S 4511-12

S. 843. A bill to provide assistance to States to expand and establish drug abuse treatment programs to enable such programs to provide services to individuals who voluntarily seek treatment for drug abuse; to the Committee on Health, Education, Labor, and Pensions.

Boxer

Pages S 4508, S 4512-15

S. Res. 83. A resolution referring **S. 846** entitled "*A bill for the relief of J.L. Simmons Company, Inc., of Champaign, Illinois*" to the *chief judge of the United States Court of Federal Claims* for a report thereon; to the Committee on the Judiciary.

Durbin

Pages S 4508, S 4516

S. 1. Elementary and Secondary Education Act Authorization:

Senate continued consideration of S. 1, to extend programs and activities under the Elementary and Secondary Education Act of 1965, taking action on the following amendments proposed thereto:

Pages S 4461-98, D 407

Pending:

Jeffords Amendment No. 358, in the nature of a substitute.

Pages S 4461-98, D 407

Kennedy (for Murray) Amendment No. 378 (to Amendment No. 358), to provide for class size reduction programs. *(School Safety and Juvenile Justice Programs discussed)*

Pages S 4461, S 4463-71, S 4474-5,

S 4476-84, S 4485-7, S 4496-7, D 407

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m. on Wednesday, May 9, 2001, with a vote to occur on *Kennedy (for Mikulski/Kennedy) Amendment No. 379 (to Amendment No. 358)*, listed above. Further, that all first degree amendments in order to the bill be filed at the desk by 5 p.m.

Page S 4489, D 407-8

Committee Meeting:

Committee on Appropriations: Subcommittee on Commerce, Justice, State, and the Judiciary concluded hearings to examine the roles and capabilities of various United States federal government departments' counterterrorism efforts.

Page D 408

Committee Meetings For Wednesday, May 9, 2001:

Committee on Appropriations: @ 9:30 a.m. & 1:30 p.m. Subcommittee on Commerce, Justice, State, and the Judiciary, to continue hearings to examine United States Federal Government capabilities with respect to terrorism. SH-216.

Page D 412

Committee on the Judiciary: @ 10:00 a.m. To hold hearings on pending Department of Justice nominations. SD-226.

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HOUSE

Bills Introduced:

H.R. 1747. A bill to *amend title 18, United States Code*, to prohibit taking a child hostage in order to evade arrest; to the Committee on the Judiciary.

Kelly

Page H 2021

H.R. 1762. A bill to *restore the second amendment rights of all Americans; to the Committee on the Judiciary.*

Paul

Page H 2022

H.R. 1764. A bill to *ensure that the incarceration of inmates is not provided by private contractors or vendors and that persons charged or convicted of an offense against the United States shall be housed in facilities managed and maintained by Federal, State, or local governments; to the Committee on the Judiciary.*

Strickland

Page H 2022

H.R. 1765. A bill to *increase penalties* for common carrier violations of the Communications Act of 1934, and for other purposes; to the Committee on Energy and Commerce.

Upton

Page H 2022

Reports Filed:

Reports were filed today as follows:

H. Res. 134, providing for recommitment of the conference report to accompany **H. Con. Res. 83**, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (House Report 107-58);

Conference report on H. Con. Res. 83, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (House Report 107-60); and

H. Res. 136, waiving points of order against the conference report to accompany **H. Con. Res. 83**, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 (House Report 107-61).

Pages H 1957-H2004, H 2021, D 409-10

See Page H 1988: FUNCTION 750: ADMINISTRATION OF JUSTICE.

Major Programs in Function.--*Under current law, spending for Function 750, Administration of Justice, will total \$30.6 billion in BA and \$30.0 billion in outlays for 2001. This function provides funding for federal law enforcement activities. These activities include criminal investigations by the Federal Bureau of Investigation and the Drug Enforcement Administration, and border enforcement and the control of illegal immigration by the Customs Service and the Immigration and Naturalization Service. Also funded through this function are the federal courts, federal prison operation and construction, and criminal justice assistance.*

House Resolution.--*The resolution establishes levels of \$30.9 billion in budget authority [BA] and \$30.3 billion in outlays in 2002, an increase of 1.0 percent in BA compared with fiscal year 2001. The function totals are \$166.6 billion in BA and \$166.5 billion in outlays over 5 years, and \$359.3 billion in BA and \$356.8 billion in outlays over 10 years. The resolution accommodates the President's proposals to increase funding for the Drug Enforcement Agency by 9 percent; the Federal Bureau of Investigation by 8 percent; the Federal Bureau of Prisons by 8 percent; the U.S. Attorneys by 7 percent; and to hire and train 550 new Border Control agents.*

Senate Amendment.--*For 2002, the resolution sets forth \$32.4 billion in BA and \$31.8 billion in outlays. Over the 2002-2011 ten year period, it sets forth \$360.8 billion in BA and \$358.3 billion in outlays. These levels reflect adoption of an amendment to increase Department of Justice state and local law enforcement assistance grant programs by \$1.5 billion in 2002.*

Conference Agreement.--*The Conference Agreement sets forth \$32.4 billion in BA and \$31.4 billion in outlays for 2002. Over the 2002-2011, the agreement sets forth \$378.5 billion in BA and \$374.8 billion in outlays.*

H. Res. 134. Recommitment of Budget Conference Report:

The House agreed to H. Res. 134, providing for recommitment of the conference report to accompany **H. Con. Res. 83**, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 by a yea-and-nay vote of 409 yeas to 1 nay, Roll No. 101.

Pages H 1951-6, D 410

Earlier, the House agreed to **H. Res. 131**, the rule that waived a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules by a yea- and-nay vote of 214 yeas to 200 nays, Roll No. 100.

Pages H 1945-51, D 410

Executive Communication:

EC.-1768. A letter from the Deputy Associate Administrator, Office of Acquisition Policy, GSA, Department of Defense, transmitting the Department's final rule--*Federal Acquisition Regulation*;

Contractor Responsibility, Labor Relations Costs, and Costs Relating to Legal and Other Proceedings (RIN: 9000-AI40) received April 12, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

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Committee Meetings:

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Protection held a hearing entitled "*Opinion Surveys: What Consumers Have To Say About Information Privacy.*"

Committee on Government Reform: Subcommittee on Government Efficiency, Financial Management, and Intergovernmental Relations approved for full Committee action the following bills: **H.R. 583, *Privacy Commission Act.***

Committee on Rules: Granted, by voice vote, a resolution providing that upon adoption of the rule, the conference report to accompany **H. Con. Res. 83**, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011, shall be recommitted to the conference committee.

Page D 411

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany **H. Con. Res. 83**, establishing the congressional budget for the United States Government for fiscal year 2002, revising the congressional budget for the United States Government for fiscal year 2001, and setting forth appropriate budgetary levels for each of fiscal years 2003 through 2011 and against its consideration.

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Committee Meetings For Wednesday, May 9, 2001:

Committee on Appropriations, @ 10:00 a.m. Subcommittee on Commerce, Justice, State and Judiciary, on Immigration and Naturalization Service. 2237 Rayburn.

Committee on Appropriations, @ 10:00 a.m. Subcommittee on Treasury, Postal Service and General Government, on GSA. 2359 Rayburn.

Committee on the Judiciary, @ 10:00 a.m. Hearing on **H.R. 169, *Notification and Federal Employee Antidiscrimination and Retaliation Act of 2001.*** 2141 Rayburn.

Committee on the Judiciary, @ 2:00 p.m. Subcommittee on Commercial and Administrative Law, oversight hearing on the reauthorization of the U.S. Department of Justice: Executive Office for the U.S. Attorneys; Civil Division; Environment and Natural Resources Division; Executive Office for U.S. Trustees; and Office of the Solicitor General. 2141 Rayburn.

Committee on Transportation and Infrastructure, @ 2:00 p.m. Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on **H.R. 525, *Preparedness Against Domestic Terrorism Act of 2001.*** 2253 Rayburn.

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Remark:

Questionable Decisions Coming From Supreme Court.

"...It is interesting to note as I mentioned earlier it was a five to four decision. [] I am worried about this also because we have seen recently that the President of the United States, Mr. Bush, the second Mr. Bush,

has made it clear that he is no longer going to take recommendations from the American Bar Association with regard to justices on any of the Federal courts, that is the Federal Appeals Court, the circuit courts or the United States Supreme Court; and instead he is going to take recommendations from the Federalist Society. I think we all ought to be deeply concerned about what is going on in our courts and about the way that this particular decision typifies or exemplifies at least the kind of bad decisions that are being made on a five to four basis in the Supreme Court of the United States..."

Hinchey

Pages H 1956-7

Next SENATE MEETING: Wednesday, 9:30 a.m., May 9, 2001.

Next HOUSE MEETING: Wednesday, 10:00 a.m., May 9, 2001.

OLA: S. Schwarz (Smith), J. Homanich